SUMMARY OF THE
ENVIRONMENTAL LABORATORY ADVISORY BOARD MEETING
Face-to-Face Meeting/Teleconference: 866-299-3188/9195415544#
Hyatt Regency Chicago, Chicago, IL
January 25, 2010; 1:30 – 5:00 PM CST

The Environmental Laboratory Advisory Board (ELAB or Board) face-to-face meeting was held on January 25, 2010, from 1:30 to 5:00 p.m. CST. The agenda for this meeting is provided as Attachment A, a list of meeting participants is provided as Attachment B, and action items are included as Attachment C. The official signature of the Chair or Vice-Chair is included as Attachment D.

AGENDA ITEMS:

1. OPENING REMARKS/ROLL CALL

Ms. Lara Autry, Designated Federal Officer (DFO) for the Board, welcomed the members and guests to the meeting and explained that the mission of the ELAB had been highlighted during the morning's session on ELAB activities. Mr. Dave Speis called an official role of the ELAB Board members.

2. REVIEW/APPROVAL OF DECEMBER MINUTES

Mr. Speis asked whether there were any changes or comments to the December 2009 meeting minutes; there were none. Mr. Joe Pardue began a motion to approve the December minutes and Ms. Judy Morgan seconded. The meeting minutes for December were approved unanimously with no discussion.

3. GENERAL WORKGROUP UPDATE

Ms. Morgan provided an update regarding the Monitoring Workgroup's activities. The workgroup was tasked with partnering with organizations within EPA regarding hazardous waste in the laboratory, green chemistry, and so forth. Although this has been progressing slowly, Ms. Morgan received a recent e-mail from Emma Lavoie of EPA's Design for the Environment Program, which promotes safer chemistry and has worked with industry to improve their processes and make them "greener" in cases in which no substitute chemicals are available (e.g., methylene chloride). The goal is to work with the program to provide resources for the environmental community.

The American Council of Independent Laboratories (ACIL) has filed a petition to the U.S. Department of Transportation (USDOT) regarding recently revised air shipment regulations for sample shipments, which affect how the environmental industry ships samples. The workgroup's next item of business will be to draft a letter in support of the petition. The Laboratory Management Workgroup, under Mr. Gary Dechant, has been comparing the Drinking Water Laboratory Certification Program standards with the new The NELAC Institute (TNI)

Standards that will go into effect on July 1, 2011. The Measurement and Technology Workgroup, under Mr. Jeff Lowry, has been working on the proficiency testing (PT) issue, and Dr. Reza Karimi will provide more information on this issue later in the meeting.

4. UPDATE ON OFFICE OF RESOURCE CONSERVATION AND RECOVERY (ORCR) SW-846 METHODS POLICY

Mr. Speis provided the update on the ORCR "Test Methods for Evaluating Solid Waste, Physical/Chemical Methods" (SW-846) policy. The issue on which ELAB has been working was introduced in January 2008 when EPA released Update IV, which included 47 revised and new methods and replaced 44 methods. Stakeholders expressed concerns that EPA did not provide clear language on use status. Stakeholder assumption was that the updated versions indicated improved performance, data quality, and cost effectiveness and rendered previous versions obsolete. Regulatory authorities have expressed confusion regarding the revised methods' use status and associated quality control (QC) specifications. Recognition for monitoring and remediation uses have been, and accreditation has been a challenge. National Environmental Laboratory Accreditation Program (NELAP) accreditation bodies (ABs) differ on accreditation policies, and there has been difficulty with interstate accreditation recognition. Finally, because some revised methods QC specifications conflict with previous versions, the laboratory and regulatory communities have had difficulty determining which specifications apply. ELAB is working with EPA to develop a policy to reduce this confusion.

Another critical issue is that the accreditation policies must be adopted at the state level, preferably with standard policy across all states. It is difficult, costly, and wasteful to maintain multiple levels of accreditation, particularly when some are in conflict with each other. Attempting to manage different method versions in the laboratory increases the logistical challenges of batching and analysis. The regulatory and applications communities are asking which version applies; from the applications community perspective, the secondary impact on accreditation is important. ELAB began working in September 2008 in a collaborative effort to develop a clear SW-846 use policy and clarify the multiple version questions regarding same or similar methods. Additionally, ELAB sought clarification regarding when the Agency issues new or revised methods.

ELAB made the recommendations that, in regard to SW-846 use policy, EPA should:

- Provide a strong statement indicating that the latest method version is the preferred version with a 6- to 12-month implementation period for new method versions.
- Specify termination dates for replaced methods with regulatory replacement milestones.
- Implement a policy specifying rigorous criteria for method revision.
- Provide change summaries in revised methods clearly indicating changes and their quality impact

- Reconfigure the "Method Status Table" on the SW-846 Methods Web Site (http://www.epa.gov/waste/hazard/testmethods/sw846/online/index.htm) to indicate the most recent method version only.

- Provide clear definitions and intended use for terms such as "draft method," "obsolete," "withdrawn," "final," "preferred use," and so forth.

- Assign new method numbers when new or revised methods are issued that include a technology change or significant chemistry change.

- Caucus with states, the NELAP Board, and interested stakeholders.

In response to these recommendations, the Agency developed a draft version of the "ORCR Policy on SW-846 Method Compendium Use" that addresses the basis for SW-846 development and use, method development and numbering, method status definitions, and method changes. In terms of development and use, method availability is made through a notice of data availability (NODA). ORCR is committed to performance-based methods and *strongly* recommends the use of the latest SW-846 method, particularly in new monitoring situations. Methods should be treated as guidance, allowing flexibility. ORCR is responsible for revising, updating, and withdrawing methods, but prior versions will remain on its Web site, and specific procedures will be designed to minimize the disruption to the regulatory process. Finally, the latest technology will be made available.

In terms of method development and numbering, the methods will undergo a lengthy evaluation and review prior to being included in the compendium and edited following a formal expert review process. The new policy has developed new numbering scheme changes. Minor revisions, such as editorial or procedural changes that have no impact on performance comparability, will not incur a new number. Major revisions, such as those with technology and/or QC changes that affect data comparability from previous versions, will be assigned a new method number.

The draft policy provides the following method status definitions:

- *Final* is the latest version included in the SW-846 compendium and is announced in the *Federal Register* as an SW-846 update. It has previously been made available as a draft for review and comment via NODA and is posted as the preferred method version on the SW-846 Web Site.

- *Draft* indicates that the technical review is complete, but the method has not been adopted in the SW-846 compendium via NODA; it is available on the Web site for immediate use.

- *Revised* indicates that a final method has been updated to reflect minor changes that do not affect performance or data comparability. The version number does not change, and "Revised" is included in the document footer with the revision date. Previous versions may be used following adequate justification by the user.

- *Superseded* indicates a method is a previous version of a revised method. It is no longer included in the SW-846 compendium but is available on the Web site and may be used with adequate justification. Revised versions of superseded methods should be considered as the preferred method. "Superseded" is included in the document footer with the supersession date.

- *Withdrawn* applies to methods or guidance that the Agency strongly recommends not be used because the procedures have been determined to be technically inadequate or they no longer can meet use objectives. These methods are not precluded from use when justified, but EPA does not believe that justification is possible.

- *Minor modifications* are changes that do not affect technology, compromise analytical intent, or change data comparability or are not significant to the technical aspects of the method. These changes can be editorial, typographical, or procedural corrections. The method number and version remain unchanged following these types of modifications.

- *Major modifications* are changes to final methods that include technology changes or modifications that result in performance or data comparability changes; they are technically significant and may change analytical outcomes. These types of changes result in the assignment of a new method number.

ELAB and ORCR are satisfied with this draft policy, and EPA General Counsel currently is providing a superficial review. ORCR senior management will provide comment, and the policy will be attached to all SW-846 updates as well as potentially included in *Federal Register* notices.

5. STANDARD COMPARISON OF DRINKING WATER LABORATORY CERTIFICATION PROGRAM AND TNI STANDARDS

Mr. Dechant provided an update regarding the ongoing comparison between the Office of Water (OW) Drinking Water Laboratory Certification Program and TNI standards. The workgroup is comparing the various elements in the OW Drinking Water Laboratory Certification Manual to comparable elements in the new NELAC TNI standard. The Certification Manual focuses on programmatic issues, whereas the TNI standards address quality standards. The objective was to determine whether there were items within the Certification Manual that were not covered within the TNI standards. The initial review identified approximately 500 line-items of different issues that were contained in one or both of the manuals. The workgroup consolidated these, clarified the verbiage, and reduced the list to 290 line-items; the table is available on the ELAB Web Site at http://www.epa.gov/ELAB/pdfs/tni-ow-comp-table.pdf.

Current work focuses on examining this table and categorizing the line-items based on three general categories: (1) Items that are more stringent in the TNI standards. (2) Items that are comparable between the two. (3) Items that are more stringent in the Certification Manual. The workgroup also is identifying any issues that the Drinking Water Laboratory Certification Program views as important but are not covered under the TNI standards. There are 40 to 50 line-items within Category 3 that ELAB must examine to determine whether to recommend that

OW investigate them further to ensure that programmatic requirements are being met. Although most will be relatively easy to examine, others will require in-depth discussion.

TNI also has established the Small Lab Advocacy Group (SLAG) because it became apparent that very small laboratories were not in the position to participate in ELAB or TNI. The SLAG has had excellent participation and is a conduit to forward information to EPA and/or TNI regarding small laboratory concerns and how these laboratories can operate within the environmental industry. The Water Environment Federation (WEF) contacted Mr. Dechant to notify him that SLAG and ELAB will be featured in a national WEF article.

Because the meeting was running ahead of schedule, Mr. Speis opened up discussion regarding the SW-846 policy and the Certification Manual and TNI standards comparison.

Mr. Scott Sider (Illinois EPA) asked about the goal for comparing the Certification Manual with the TNI standards. Mr. Dechant explained that from the EPA's perspective, the goal is to identify potential differences that could impact the program. The manner by which EPA chooses to deal with any identified potentially significant differences will be part of its Drinking Water Standards Program under the Safe Drinking Water Act (SDWA).

Mr. David Friedman (Friedman Consulting) stated that, regarding SW-846, applicability of method use currently must be demonstrated and asked what the change in wording is meant to accomplish. He also noted that many states require specific versions of a method whether there is a revision date attached to the method or not. Mr. Speis agreed that the demonstration of applicability always has been present; the draft policy reasserts this. Changing only the revision date and not the version number following minor changes to a method gives states flexibility so that they do not need to require reaccreditation for editorial or other minor modifications. A participant asked whether there had been any progress in encouraging states to adopt this logic. Mr. Speis explained that a good deal more effort is required in this area, but the clarifications in the draft policy should be beneficial to this effort. Dr. Richard Burrows added that methods are updated because ORCR thinks that the updated methods are superior; the draft policy is an attempt to create a logical, smooth transition and lessen confusion in the industry.

Mr. Scott Hoatson (Oregon Department of Environmental Quality) asked about proposals to eliminate the letter designation on method versions. Mr. Speis thought this was a possibility, whereas Ms. Kim Kirkland (EPA/ORCR) did not. Mr. Hoatson asked about the status of the new methods listed on the SW-486 Web Site. Ms. Kirkland explained that Update 5 should be available by the end of calendar year 2010, which will make the 20 methods on the Web site final. She clarified that there are about 25 methods required by regulations; these will continue to be reviewed through the regulatory process instead of through NODA. She added that the letter designation has not been eliminated.

Dr. Edward Askew (Askew Scientific Consulting) noted that the American Water Works Association (AWWA) Water Quality Laboratory Practices Committee was unaware of the standards comparison; this committee will utilize the ELAB list to determine whether there are issues from the water quality regulatory standpoint. He recommended that AWWA be updated. He also noted that, in regard to SW-846, biosolids (40 CFR 503) are a significant issue that are not being addressed; it falls under the Clean Water Act and directly impacts wastewater

treatment facilities. If policies are going to change, the Series P methods under which this falls may need to be repromulgated. Mr. Dechant explained that Steve Via of AWWA was contacted and is working on the standards comparison with ELAB, and acknowledged that perhaps other groups within AWWA should have been included. Dr. Askew explained that it is his job to ensure that his group is kept up to date in this area; he and Mr. Dechant will communicate to ensure this happens and ELAB receives appropriate AWWA input. Ms. Morgan noted that the group has discussed 40 CFR 503, including metals and inorganics. The group is aware that several issues must be addressed, and 40 CFR 503 is on the agenda.

Mr. Jim Todaro (Alpha Analytical) stated that there has been confusion as to whether or not there is a letter designation following the SW-846 revisions. He asked whether there has been an effort to obtain a consensus among ABs to certify in the same manner. Mr. Speis responded that extensive efforts have been made to achieve consistency. The goal is for ORCR's well-defined, strongly worded policy to accomplish this. Ms. Morgan added that many states have the method letter designation hard-coded into their regulations. Using nomenclature that indicates "the most current" method instead of a letter designation will help state regulations move forward in this area. Mr. Todaro added that this affects secondary certification in states in which primary certification is not possible. Ms. Morgan stated that for the National Pollutant Discharge Elimination System, some states utilize the Methods Updates Rule, which allows an extended time to achieve certification.

Mr. Todaro noted that some laboratories will not be able to afford the significant capital investment required to move from the superseded SDWA 524.2 to 524.3. Mr. Jack Farrell and Mr. Speis explained that this was an appropriate subject for a different forum and encouraged him to address this issue the following day during the Assessment Forum.

Mr. Siders explained that he is the Illinois representative to the NELAP Board and noted that the NELAP Board and ELAB have discussed eliminating the letter designation, and this debate still is ongoing. There are many issues that make eliminating the letter designation difficult, including state regulations. The issue will be re-examined when ORCR releases the final SW-846 policy; ABs must move forward together on this issue.

Ms. Kirstin McCracken (TestAmerica) stated that clients often request a specific version of a method and require that laboratories be certified on that method; this must be considered when developing policy because such client requests justify the use of previous method versions. States should include all versions of a method instead of just the most current one. Mr. Speis asked Ms. McCracken about the burden of transition following the most recent updates. Ms. McCracken explained that her organization has not made the transition, but it is expected to be a major burden.

Mr. Friedman recommended that when ELAB sends its recommendations to EPA that it ask EPA to encourage the states to adopt a policy that any laboratory accredited to the current method version is considered accredited for all versions of the method. Ms. Kirkland added that General Counsel has advised that previous versions cannot be removed; they are considered guidance and therefore are allowed by law. Mr. Dechant explained that new versions that are more efficient than previous versions can be a serious problem because of the difference when compared to historical values. Mr. Farrell and Ms. Nan Thomey understood that accreditation was to the base

method. Ms. McCracken explained that this made sense from an accreditation standpoint, but this may conflict with client needs. Clients demand consistency of method so that current results are comparable to historical results, and they demand that laboratories be certified for the exact method version that they require; if these requirements are not met, they will take their business elsewhere.

Mr. Larry Jackson (ACLASS) provided his observations as an assessor. When a laboratory requests accreditation for more than one version of a method, he ensures that the laboratory meets the most restrictive quality control/procedural requirements of each the versions and recommends approval for both versions. Therefore, from an assessor's point of view, it is not a problem to certify to the base method. He reiterated Ms. McCracken's point about client preference for certain methods and noted that any nomenclature that indicates that a method is "preferred" is a judgment call on the part of TNI or ORCR. Ms. Morgan explained that the idea is not to mandate a preferred method. The term "superseded" indicates that it is preferable because it is the most recent update and indicates that the previous versions have been expanded on/superseded by a new technology. This provides a baseline to move forward with regulations. Mr. Speis added that determining the most restrictive requirements is a subjective process; much of the current language requires that the latest methods be used. Mr. Jackson cautioned that the presence of a superseded version will cause the previous method(s) to be considered inferior.

Mr. Lance Boynton (Absolute Standards, Inc.) noted that there is a proficiency test (PT) component to SW-846. For example, there are seven NELAC method codes for one EPA method, which creates significant challenges for laboratories, PT providers, the regulating community, and ABs to maintain seven different methods for the same technology. There must be resolution to the problem, such as accrediting to the base technology and allowing the AB to examine performance on an individual laboratory basis.

Ms. Nilda Cox (MWH Laboratories) stated that environmental laboratories are necessary to gather quality data and help clients meet EPA regulations; the states fall in the middle of this scenario. Some certification programs are not available in certain states, so it is necessary for laboratories to seek certification in other states. She would like the State of California to consider certification for EPA Methods 537 and 524.3, as the costs for certifying out-of-state are significant, particularly for small laboratories. New and old methods should be available, and a transition period is necessary because laboratories must continue to be able to meet client needs. Dr. Burrows responded that that once a clear statement from ORCR is in place via the SW-846 policy that ELAB and ORCR are working on, progress with ABs can be made. Ms. Morgan added that one of the issues that Ms. Cox addressed is a program that does not promulgate rules but has a guidance document, which makes it difficult to work around the wording from the old program. States were given primacy to develop their own programs, but because of economic hardships, some states do not offer all certifications and require laboratories to obtain certification from other states.

Mr. Bob DiRienzo (ALS Laboratory Group) suggested that a possible solution was to develop a technology matrix-based accreditation system that places confidence in the quality system that each laboratory has in place. Problems with PTs, method designation, analyte lists, and so forth will be eliminated because laboratories will produce confident analysts that can perform the

technologies. Ms. Thomey explained that this has been suggested to ELAB in the past and will be investigated at some point.

6. PT DISCUSSION

Dr. Karimi presented information regarding the ELAB PT discussion; Mr. Jeff Lowry, the team leader, was present via teleconference to answer questions and provide additional details as needed. The ELAB PT discussion began in August 2007 at the ELAB Open Forum during the TNI meeting in Cambridge, Massachusetts. In discussing the difference between the OW requirements set forth in the Certification Manual and the TNI standard, the additional cost of PTs appeared to be hurting overall participation in national accreditation. In September 2007, ELAB stated its overall concerns, including dual state programs and the data collection issue (i.e., how to acquire data to support one to two PTs per year). In October 2007, the ELAB Measurement and Technology Workgroup agreed to investigate PT issues and the following month provided a list of these issues: (1) The TNI requirement of two PTs per year is a major obstacle for small laboratory participation. (2) The OW Drinking Water Laboratory Certification Program requires one PT per year. (3) There is redundancy between the PTs in the Drinking Water and Nonpotable Water Programs. (4) PT performance does not reflect routine laboratory performance. In January 2008, at the ELAB Open Forum in Newport Beach, California, the PT issues were discussed with regulators, laboratories, and data users. As a result of the input collected at the Open Forum, in February 2008 the ELAB began to focus on two themes underlying the PT issue—harmonization between the OW Drinking Water Laboratory Certification Program and the TNI standards and accreditation as a whole and how PTs fit into the process.

To investigate the harmonization of PT requirements issue, the TNI PT Frequency Subcommittee was established by the TNI Expert Committee and includes state and national regulators, laboratory representatives, data users, PT providers, and a statistician. ELAB agreed to join the subcommittee as individual members, but ELAB is restricted regarding data collection. The subcommittee agreed to provide ELAB with progress updates. The subcommittee engaged in 20 conference calls between April 2008 and July 2009. Its August 2009 final report is available on the TNI Web Site (http://www.nelac-institute.org/docs/comm/pt/PT_Freq_Report_Final.pdf). The final report concluded that "based on the available information collected by the TNI PT Frequency Subcommittee, the recommendation to the TNI PT Expert Committee is that there is not compelling evidence to support changing the current requirement for frequency of PT in the TNI standard." The subcommittee continues to work within the TNI PT Expert Committee.

ELAB has expended a good deal of energy and resources on the harmonization issue, and one conclusion from these efforts is that any state can have stricter requirements than the EPA legislation. In regard to the accreditation issue, ELAB has initiated work to understand the role of PT in the accreditation process. In December 2009, ELAB met with OW to review the purpose of the PT program. Within the Drinking Water Laboratory Certification Program, PT represents one of many tools to evaluate laboratories and ensure quality results, and EPA objectives are being met with the current PT requirements within the program. Changes in PT sample concentrations ranges are being requested to facilitate lower Maximum Contaminant Level data gathering. Future plans are for OW to gather information from the regions regarding

PT issues and for ELAB to work with OW to understand the 6-year PT data review. ELAB will gather information from regulators on this issue and propose possible changes to the Drinking Water Laboratory Certification Program based on the information collected.

Ms. Morgan added that the TNI PT Expert Committee would be discussing this issue during the following morning's sessions. There also will be information regarding a survey about using PTs as a program requirement. Following Ms. Morgan's remarks, Mr. Speis opened the PT discussion.

Mr. Len Schantz (City of Rochester, New York) stated that the SLAG had discussed PT and PT frequency, which is summarized on the SLAG Web Site. It is important that ELAB follow up on this issue to determine its impact on the small laboratory community and continue to develop a national standard. One possible step is determining how PT frequency affects data quality.

Dr. Jeff Flowers noted that the current economic climate was particularly difficult for small municipal laboratories; his laboratory has received budget cuts of 10 percent for 2 consecutive years, which significantly impacts its ability to function. Money spent on PTs is better spent on quality chemists; chemists in his laboratory are being let go to fund PTs. Dr. Karimi explained that TNI examined this issue and performed a cost analysis; there is an impact statement in the report.

Ms. McCracken stated that the TNI PT Frequency Subcommittee has three goals for 2010, which are to: (1) determine the purpose of PTs from a policy standpoint, (2) examine PT frequency, and (3) examine PT composition. It is necessary to redefine the purpose of PTs to determine their role in the accreditation program. PT composition includes whole volume PTs, real-world PTs, and other technical issues.

Mr. Jackson asked whether the TNI PT Frequency Subcommittee examined whether there were reasonable alternatives to PTs in developing its recommendations. Mr. Dechant explained that The subcommittee currently is investigating this issue; the scope must be known before this issue can be evaluated. Mr. Jackson noted that there is a universe of data that allows easy and regular evaluation of laboratory performance and proficiency; these criteria are readily available, and Mr. Jackson asked whether they were being examined to evaluate laboratory ongoing proficiency and capability. This tremendous reservoir of data is much more informative than PTs. Mr. Dechant agreed but explained that the issue is the amount of expertise, cost, and labor that would be necessary to utilize these data. The underlying challenges are how to measure and how to measure cost effectively. Mr. Farrell added that this was discussed in the SLAG conference calls, and there are tradeoffs. The original issue that was brought forward was the number and frequency of PTs, but the larger issue also includes how they are used, what different groups want from them, if they are valued, whether the sensitivity and frequency are appropriate, the acceptance criteria, and so forth.

Mr. Friedman stated that from a TNI standpoint, the key issue that needs to be resolved is whether PTs provide a picture of laboratory confidence, and if not, why they continue to be used in the accreditation process. From a governmental standpoint, they may be useful to meet standards for accuracy, but this is a different purpose. The group needs to focus on whether PTs are useful to demonstrate a laboratory's performance. Mr. Dechant explained that the group is

working with OW regarding how EPA uses PT samples historically and currently. Ms. Thomey explained that the value of PT samples is at the project level for data users. There will be an inherent bias regarding the number of PTs that each group (e.g., laboratories, PT providers) recommends. The question is which number and frequency are applicable to accreditation.

Dr. Askew reminded that liabilities and litigation also play a part in this issue. The PT sample is a measure of a laboratory's best chemist on his best day, but without it, is there the possibility of litigation? PT is a "blind check" to cover TNI against litigation; therefore, part of the value of PT is derived from a legal standpoint. Ms. Morgan agreed and stated that an informal survey in 2007 indicated that remarks on the usefulness of PTs included their value in audits and the fact that they assess laboratories under their best circumstances. State agencies can audit laboratories once every 3 years, and there needs to be some kind of indicator of laboratory performance in "off" years. The truth behind PT lies in how it is truly used by more than 50 entities. Hopefully, the upcoming survey will provide good data, because this information is needed to understand how PT is used in each state, especially as there is no mandate regarding how states use PT. The question is not whether PTs are useful but how detrimental that usage is to various entities.

Dr. Flowers noted that 98 percent of laboratories successfully completed PTs. He wondered how valuable PT is if it only addresses a problem in 2 percent of all laboratories, particularly as some laboratories must cut staff to afford PTs. With only a 2 percent fail rate, emphasis should be placed on quality chemists rather than PTs. Mr. Daniel Tholen (American Association for Laboratory Accreditation) noted that a QC laboratory may never have a PT failure, but regulators and PT providers know that every study discloses problems that would not have discovered in any other way. A laboratory may not see specific PT benefits, but regulators do during every study. The PT issue also is significant internationally; the International Laboratory Accreditation Cooperation (ILAC) is working on this with the revision of the P9 policy document, which will follow what is occurring in the European Union (EU), including adoption of a new EU PT document. The international and European documents highlight the use of individual plans between each laboratory and the AB that take risk into account and use frequency to assess risk. External demonstrations of competency should be included in PT plans. The international and EU concepts may be useful for U.S. environmental laboratories. The PT Frequency Subcommittee may examine what ILAC and the EU are calling "levels" (e.g., which groups of analytes demonstrate proficiency). Also, the new International Standard for PT (ISO/IEC 17043) being released during the following week lists eight purposes of PT. Mr. Dechant asked whether the failure rates were significantly different than random had been examined. Mr. Tholen explained that failure rates are not useful except in individual laboratory failures.

Mr. Bill Telliard (Consultant) stated that the purpose of a PT will change depending on the particular situation. He urged alternatives for PT to be sought, particularly in the current economic climate.

Mr. DiRienzo commented that in examining laboratory standards, there are two places under which PT falls—quality assurance of testing data and demonstration of competency. The expansion to semiannual testing of all analytes for accreditation seems unnecessary given the other data that are available. PT plans are useful, but there are other methods to ensure data quality.

Ms. McCracken stated that there had been many different comments regarding the purpose of PTs and reiterated that the PT Frequency Subcommittee had been tasked with determining the purpose of PTs in terms of accreditation and the minimum frequency of PTs needed to achieve this objective. Fundamentally, this is a policy question, which is why information and additional feedback is needed from ABs. A consensus regarding frequency must be reached. Ms. Morgan noted that some state agencies were not able to answer the question of frequency because it was context-dependent; the goal of the upcoming survey is to expand this information. Ms. Thomey wondered how many organizations indicate that the only purpose for which they use the PT data is to determine whether a laboratory has met the accreditation requirements; this information would help answer the TNI policy question. Dr. Flowers added that the only legally defined criteria in the United States for using PT falls under SDWA; all other PTs are voluntary.

7. OPEN DISCUSSION

Mr. Speis called for discussion of any new or old business. Mr. Dechant asked for an update on the Forum for Environmental Measurements (FEM). Ms. Autry explained that the FEM held a productive meeting the prior week, and a key issue discussed that is of interest to ELAB is method detection and quantification limits (MDL/MQL) and calibration. During the previous year, the FEM has compiled an environmental measurement glossary, which did not previously exist; the glossary highlights the difference in nomenclature across the Agency and facilitates communication between Agency organizations. The FEM created a streamlined toolbox that represents calculations across the Agency; the toolbox is divided into two parts, one focusing on MDL/MQL and the other focusing on calibration. This has raised a larger question regarding terminology within the Agency. The toolbox should be released within the next 6 to 9 months and will streamline calculations within the Agency and clarify their accompanying terminology so that the calculations can be used appropriately. Another issue that the FEM has been discussing is issuing a policy regarding the use of accredited laboratories; a draft policy for acquisition agreements regarding organizations that have demonstrated competency has been completed and approved. Other policies exist within the Agency that limited the steps that FEM could take within this issue, and FEM is working with EPA's Contract Management Division to ensure that the proper requirements are in place so that the policy can be utilized immediately after finalization.

Hearing no additional discussion topics, Mr. Speis returned the discussion to the PT issue.

Mr. Bob Finken (Delta Air Quality Services) asked whether there was interaction between the PT Frequency Subcommittee and the Stationary Source Audit Sample Program Committee. Ms. McCracken responded that there had not been interaction because the PT Frequency Subcommittee focuses on PTs within the accreditation program, whereas the other committee does not. Mr. Finken noted that reciprocity for PTs could be a consideration.

Dr. Askew noted that water is not the most frequent PT sample in certain states, as noted by examining each state's Discharge Monitoring Report-Quality Assurance. Some states have certification because of the holding time for biochemical oxygen demand, and wastewater must be looked at in terms of PT frequency. This most significantly impacts the smallest

municipalities; wastewater impacts PTs, particularly in smaller laboratories, more than drinking water.

Ms. Autry explained that this was a membership year for ELAB, and members would be renewed or replaced. Anyone interested in serving on the Board should contact the Ms. Autry, the DFO for the Board. A short letter of interest, including which entity (e.g., a community or portion of a community) the interested party would like to represent, and a resume copy should be forwarded no later than March 1, 2010. Applications take several months to be processed and approved, as the process includes the EPA Administrator.

8. REVIEW ACTION ITEMS

Ms. Kristen LeBaron, support EPA contractor with The Scientific Consulting Group, Inc., read the identified action items from the meeting.

A detailed list of ELAB action items can be found in Appendix C.

9. ADJOURN

Citing no additional comments or issues, Mr. Speis adjourned the meeting at 4:44 p.m.

Attachment A

AGENDA
ENVIRONMENTAL LABORATORY ADVISORY BOARD
Face-to-Face Meeting/Teleconference: 866-299-3188/9195415544#
Hyatt Regency Chicago, Chicago, IL
January 25, 2010; 1:30 – 5:00 PM CST

1:30–1:35 p.m.	Opening Remarks	Autry/Speis
1:35–1:40 p.m.	Roll Call of ELAB Members	All
1:40–1:45 p.m.	Review/Approval of December Minutes	All
1:45–1:55 p.m.	General Workgroup Update	Morgan
1:55–2:20 p.m.	Update on ORCR SW-846 Methods Policy	Speis
2:20–3:00 p.m.	Standard Comparison of Drinking Water Laboratory Certification Program and TNI Standards	Dechant
3:00–3:30 p.m.	BREAK	
3:30–4:00 p.m.	Proficiency Test Discussion	Karimi
4:00–4:50 p.m.	Open Discussion -New or Old Topics	All
4:50–5:00 p.m.	Review Action Items	Speis/Autry
5:00	Adjourn	Speis

Attachment B

MEMBERSHIP LISTING AND GUESTS

ELAB MEETING
January 25, 2010; 1:30 PM – 5:00 PM CST

Attendance (Y/N)	Name	Affiliation
Y	Mr. David (Dave) N. Speis (Chair)	Accutest Laboratories Representing: American Council of Independent Laboratories (ACIL)
Y	Ms. Judith (Judy) R. Morgan (Vice-Chair)	Environmental Science Corp. Representing: Commercial Environmental Laboratories
Y	Ms. Lara P. Autry, DFO	U.S. Environmental Protection Agency Representing: EPA
Y	Dr. Richard Burrows	Test America Inc. Representing: Commercial Laboratory Industry
Y	Mr. Gerald (Gary) Dechant	Analytical Quality Associates, Inc. Representing: Data Users
Y	Mr. John (Jack) E. Farrell, III	Analytical Excellence, Inc. Representing: The NELAC Institute (TNI)
Y	Dr. Jeff Flowers	City of Maitland, Florida Representing: Elected Officials of Local Government
Y	Dr. Reza Karimi	Battelle Memorial Institute Representing: Nonprofit Research and Development Organizations
N	Dr. H. M. (Skip) Kingston	Duquesne University Representing: Government Consortiums, Native Americans, and Academia
Y (via telephone)	Mr. Jeffrey (Jeff) C. Lowry	Environmental Resource Associates Representing: Proficiency Testing Providers
N	Mr. Orval Osborne	Creek Environmental Laboratories, Inc. Representing: Small Laboratories/Native Americans
Y	Mr. Glenn (Joe) J. Pardue, Jr.	Pro2Serve Representing: Clients of QS Services
Y	Dr. Jim Pletl	Hampton Roads Sanitation District Representing: Municipal Environmental Laboratories
Y	Ms. Nan Thomey	Environmental Chemistry, Inc. Representing: Owners of Full Service Laboratories
N	Mr. Rock Vitale	Environmental Standards, Inc. Representing: Third Party Assessors
N	Dr. Michael D. Wichman	University of Iowa Hygienic Laboratory Representing: Association of Public Health Laboratories (APHL)

Attendance (Y/N)	Name	Affiliation
Y	Ms. Kristen LeBaron (Contractor)	The Scientific Consulting Group, Inc. (SCG)
Y	Dr. Edward Askew (Guest)	Askew Scientific Consulting
Y	Mr. Lance Boynton (Guest)	Absolute Standards, Inc.
Y	Ms. Nilda Cox (Guest)	MWH Laboratories
Y	Mr. David Friedman (Guest)	Friedman Consulting
Y	Mr. Bob Finken (Guest)	Delta Air Quality Services
Y	Mr. Scott Hoatson (Guest)	Oregon Department of Environmental Quality
Y	Mr. Larry Jackson (Guest)	ACLASS
Y	Ms. Kim Kirkland (Guest)	EPA/ORCR
Y	Ms. Kirstin McCracken (Guest)	TestAmerica
Y	Mr. Len Schantz (Guest)	City of Rochester, New York
Y	Mr. Scott Sider (Guest)	Illinois EPA
Y	Mr. Bill Telliard (Guest)	Consultant
Y	Mr. Jim Todaro (Guest)	Alpha Analytical

Attachment C

ACTION ITEMS

1. When ELAB sends its recommendations to EPA regarding ORCR SW-846 method identification, it will ask EPA to forward them to the states, encouraging the states to adopt a policy that allows laboratories accredited to the current version of a method to be accredited to all versions of that method.

2. Mr. Gary Dechant and Dr. Ed Askew will discuss the OW/TNI Standard comparisons to ensure that the proper groups within AWWA can contribute to the comparison discussions.

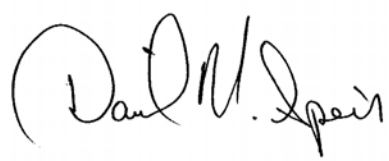
3. The Monitoring Workgroup will write a letter of support to DOT regarding the rulemaking petition for 49 CFR 173 initiated by ACIL ESS.

4. In terms of follow-up on the PT issue, the workgroup will:

    a. Research the impact of PTs on small laboratories.
    b. Focus on whether PTs are useful to demonstrate laboratory performance.

Attachment D

I hereby certify that these are the final version of minutes for the Environmental Laboratory Advisory Board Meeting held on January 25, 2010.



Signature Chair

Mr. David N. Speis

Print Name Chair